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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,737	09/14/2000	Noriyuki Ohsawa	FUJY 17.750	9012
7590	12/05/2003		EXAMINER	NG, CHRISTINE Y
Helfgott & Karas PC Empire State Building 60th Floor New York, NY 10118			ART UNIT	PAPER NUMBER
			2663	<i>S</i>
DATE MAILED: 12/05/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/661,737	OHSAWA ET AL.
	Examiner Christine Ng	Art Unit 2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 September 2000.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 2-12 is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 September 2000 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: _____                                     |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,005,847 to Gilbert et al.

Referring to claim 1, Gilbert et al discloses in Figure 1 a communication line control method comprising a step of providing one communication terminal device (Computer, Element 100) incorporating communication functions containing voice communications and data communications, and accommodating a plurality of communication lines (ISDN lines, Element 108) connected to a network (Element 110). Refer to Column 2, lines 46-53 and lines 60-65. The method also comprises a step of providing a distributed control module (Switch, Element 106) for utilizing the plurality of communication lines (ISDN lines, Element 108) on the communication terminal device (Computer, Element 100). The ISDN connection (Element 108) offers "two-channel data communication" (Column 3, lines 6-7) between the terminal device (Computer, Element 100) and the distributed control module (Switch, Element 106). Finally, the method comprises a step of causing, if a plurality of calls occur on a plurality of lines

(ISDN lines, Element 108) that should be simultaneously processed in the communication terminal device (Computer, Element 100), the distributed control module (Switch, Element 106) to process only a specified call as a control target among the plurality of calls on the basis of condition data preset in a line control unit (three-level priority hierarchy) without being aware of the plurality of communication lines (ISDN lines, Element 108). If computer 100 is communicating with computer 114 and an incoming call comes in, switch 106 determines the priority level associated with the data type of the incoming call. If the priority is high enough, the user of computer 100 is notified of an incoming call. If the priority is not high enough, the user of computer 100 is not notified and communication between computer 100 and 114 continues. Refer to Column 3, lines 6-19. Real-time video communication has the highest priority, then real-time voice communication, and then two-way data communications with the lowest priority. Refer to Column 2, lines 60-65.

***Allowable Subject Matter***

3. Claims 2-12 are allowed.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (703) 305-8395. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Art Unit: 2663

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8395.

C. Ng CN  
November 28, 2003

*Chau T. Nguyen*  
CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600